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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

TEMUJIN BUSTOS,

Plaintiff,

vs.

CITY OF FRESNO, a Public Entity; CHIEF  
OF POLICE JERRY P. DYER, individually  
and in his capacity as Chief of the Fresno  
Police Department; CHIEF OF POLICE  
ANDREW HALL, individually and in his  
capacity as Chief of the Fresno Police  
Department; and DOES 1 to 10, inclusive,

Defendants.

Case No. 1:20-cv-00066-DAD-BAM

STIPULATION TO AMEND  
SCHEDULING CONFERENCE ORDER;  
AND ORDER THEREON

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, through

their respective counsel of record, as follows:

1. This litigation involves an employment discrimination/civil rights action against  
the City of Fresno and two former Police Chiefs based upon multiple promotional opportunities.

2. The Scheduling Conference Order in this matter was filed on September 22, 2020 (Document No. 26). No trial date is set.

3. The parties have undertaken preliminary written discovery and have produced over 6,000 pages of documents. They are currently working through privilege issues.

4. The pandemic has significantly delayed depositions in this matter. All parties have put off depositions with the belief that the depositions will be more beneficial in this type of litigation if they are in person. The City still has significant restrictions on employees and its outside counsel.

5. All parties believe that a 120-day extension on the remaining deadlines in the Scheduling Conference Order would greatly assist the parties in completing discovery, retaining experts, having further settlement discussions and preparing for trial. Thus, the parties propose the following dates:

	<u>Current Date</u>	<u>New Date</u>
Expert Disclosure:	9/20/2021	01/18/2022
Supplemental Expert Disclosure:	10/12/2021	02/09/2022
Non-Expert Discovery Cutoff:	09/02/2021	12/31/2021
Expert Discovery Cutoff:	11/12/2021	03/12/2022
Pretrial Motion Filing Deadline:	11/30/2021	03/30/2022
Pretrial Conference:	04/04/2022	08/02/2022

6. Thus, it is respectfully requested that the Scheduling Conference Order be modified by 120-days.

Dated: June 21, 2021

BETTS & RUBIN

By /s/ Joseph D. Rubin

Joseph D. Rubin  
Attorneys for Defendants CITY OF FRESNO,  
JERRY DYER, ANDREW HALL

1 Dated: June 21, 2021

CASTILLO HARPER, APC

2 By /s/ Joseph N. Bolander

3 Joseph N. Bolander

4 Attorneys for Plaintiff Temujin Bustos

5 **ORDER**

6 Upon reading the foregoing Stipulation of the parties, and good cause appearing  
7 therefore,  
8

9 IT IS HEREBY ORDERED that the Scheduling Order will be modified in the following  
10 manner:

11	Expert Disclosure:	01/18/2022
12	Supplemental Expert Disclosure:	02/09/2022
13	Non-Expert Discovery Cutoff:	12/31/2021
14	Expert Discovery Cutoff:	03/12/2022
15	Pretrial Motion Filing Deadline:	03/30/2022

16 Additionally, the Pretrial Conference will be modified as follows:

17 Pretrial Conference: **August 1, 2022 at 1:30pm in Courtroom 5** before the  
18 Honorable Dale A. Drozd, United States District Judge.

19 IT IS SO ORDERED.

20 Dated: **June 21, 2021**

/s/ *Barbara A. McAuliffe*

21 UNITED STATES MAGISTRATE JUDGE